

28/06/01-14:32

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June 28, 2001

US 08/809 620 (TE20010627)

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AUG 20 2001

TECHNOLOGY CENTER 2800
SPECIAL PROGRAM CENTER
Assistant Commissioner for Patents
Commissioner of Patents and Trademarks
WASHINGTON DC 20 231

**APPLICATION 08/809 620 - REVIVAL
INTERRUPTED RIGHT PROSECUTION
REQUEST FOR "ABANDONNED UNAVOIDABLY, 37 CFR 1.137(a)"**

Historical account

July 08, 1999 - Office Action Summary

Shortened statutory period : THREE months	3
Extension of time under 37 CFR 1.137(a) : ONE month	+ 1
July 08, 1999 + 4 months → November 08, 1999	= 4

November 05, 1999 - applicant's reply

April 11, 2001 - Response to Amendment

<i>The reply filed on 11/05/1999 .../...</i>	
<i>ONE MONTH is given .../...</i>	+ 1
April 11, 2001 + 1 month → May 11, 2001	= 5
<i>EXTENSION OF TIME .../... UNDER 37 CFR 1.136(a)</i>	+ 1
May 11, 2001 + 1 month → June 11, 2001	= 6
<i>35 USC 133 Upon failure .../... within six months after any action .../...</i>	
Under 35 USC 133 the ultimate date for response is June 11, 2001	

May 31, 2001 - Notice of abandonment

1) *Applicant's failure to timely file a proper reply to the Office letter mailed on 08 July 1999*
(c) *No reply has been received*

- a) The Notice of Abandonment mailed on May 31, 2001 **interrupts applicant's right prosecution** (writing of the joined reply begun on May 28, to sending on June 9/10).
b) The paragraph 1.(c) of the Notice of Abandonment is **incorrect because of the applicant's reply** on November 05, 1999.

I ask for :

- a) Annulment of the Notice of Abandonment (with fee \$ 55 for extension of time 1 month).
b) In default, revival under 37 CFR 1.137(a) (with fees \$ 55 + 55 = 110).

The amount in excess should be in waiting of future fees, if that suits Commissioner.

Goulven VERNOIS

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Attachments

06/28/01 - Check \$ 675

06/28/01 - Petition unavoidably

06/28/01 - Petition unintentionally

05/31/01 - Notice of Abandonment

04/11/01 - Response to Amendment

07/08/99 - Office Action Summary

06/28/01 - Reply to the Detailed Action on April 11, 2001

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